

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA/PECOS DIVISION**

USA

v.

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**Dkt. No.:**

**STANDING ORDER: ACCEPTANCE OF RESPONSIBILITY  
IN SENTENCING**

Over time, a practice has developed in the Midland-Odessa and Pecos Divisions of the Western District that inhibits the sentencing process. Defense lawyers instruct their clients not to discuss the charged offense with the probation officers preparing the presentence investigation reports. Then, the defense lawyers write letters of one or two sentences which merely state that defendants accept responsibility. Nothing about the charged offense is explained.

The Court does not object to defense lawyers instructing their clients to avoid discussion of the charged conduct. There can be good reasons to do so. However, if defense lawyers are going to substitute a letter for such a discussion, the letter must be clear enough to allow the Court to understand what happened and why the defendant accepts responsibility. Hence, a new process must be put in place.

As of the date of this Order, if a letter is to be written to substantiate acceptance of responsibility in any criminal case in these Divisions, the following is required:

1. The letter must fully address the defendant's conduct related to the count of conviction;
2. The letter must follow the acceptance of responsibility guideline in every particular; and
3. The letter must be provided to the probation officer within thirty (30) days from the date of the guilty plea.

**Acceptance of responsibility will not be given unless the requirements of the Order are followed.**

After each guilty plea, the clerk of the Court will provide defense counsel with a copy of this order.

It is so **ORDERED**.

SIGNED this the 12th day of March, 2003.



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ROBERT JUNELL  
UNITED STATES DISTRICT JUDGE